

Docket No. 105428-2
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

James A. Macove

Application No. 10/750,244

Confirmation No. 8872

Filed: December 31, 2003

Art Unit: 3724

For: RAZOR HAVING SEPARATE BLADE
GROUPS FOR SHAVING AND
TRIMMING/SCULPTING

Examiner: Jason D. Prone

I hereby certify that this correspondence is being filed via EFS Web on the date shown below.

Dated: April 23, 2007

Signature: 

(Ronald E. Cahill)

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Dear Sir:

In response to the Final Office Action dated January 23, 2007, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.

AMENDMENTS TO THE CLAIMS

1 to 20. (Canceled)

21. (Currently Amended) A single razor cartridge for use with a handle for providing both broad area shaving and trim shaving blade groups within the single cartridge, comprising:

the razor cartridge defining a handle axis;

a first blade group provided on the razor cartridge and having a plurality of razor blades configured to provide broad area shaving in a first working plane, wherein the first working plane ~~intersecting~~ intersects the handle axis and the plurality of razor blades in the first blade group are angled at an acute angle with respect to the first working plane in a direction of broad area shaving; and

a second blade group provided on the razor cartridge and having at least one razor blade configured to provide trim shaving in a second working plane, wherein the second working plane ~~intersecting~~ intersects the handle axis and the at least one razor blade in the first blade group is angled at an acute angle with respect to the second working plane in a direction of trim shaving;

wherein the first and second working planes intersect each other so as to define a line of intersection that is substantially transverse to the handle axis and the first and second working planes intersect at an angle between about 75 degrees and 135 degrees.

22. (Original) The razor cartridge of claim 21, wherein the blades in the first blade group are parallel to each other.

23. (Canceled)

24. (Original) The razor cartridge of claim 21, wherein the line of intersection is orthogonal to the handle axis.

25. (Previously Presented) The razor cartridge of claim 21, wherein the handle is attached to the razor cartridge, at least a portion of the handle extending along the handle axis.

26. (Original) The razor cartridge of claim 25, wherein the first and second working planes are configured to allow conversion by a user of the razor cartridge from broad area shaving to trim shaving by rotating the handle 180 degrees about the handle axis.

27. (Original) The razor cartridge of claim 25, wherein at least a portion of the handle is symmetric to facilitate handling of the handle for either broad area shaving or trim shaving.

28-29. (Canceled)

30. (Previously Presented) The razor cartridge of claim 25, wherein the handle is elongated and has a curve at an end attached to the razor cartridge, the curve being concave on the same side as the first blade group.

31. (Previously Presented) The razor cartridge of claim 21, wherein the secondary blade group has a leading-edge blade guard having a thin profile to allow the distance between the cutting blade and the individual's skin to be optimally minimized to facilitate shaving in confined hard-to-reach areas of the face.

32. (Previously Presented) The razor cartridge of claim 31, wherein the secondary blade group has a single razor blade.

33-39. (Canceled)

40. (Currently Amended) The razor system of ~~claim 37~~ claim 41, wherein the first and second working planes intersect at an angle between about 75 degrees and 135 degrees.

41. (Currently Amended) A razor system for providing both broad area shaving and trim shaving blade groups within a single cartridge, comprising:

an elongate handle defining a handle axis; and

the razor cartridge disposed on the handle and having:

a first blade group having a plurality of razor blades configured to provide broad area shaving in a first working plane, the first working plane intersecting the handle axis

and the plurality of razor blades being provided at an acute angle to the first working plane in a direction of broad area shaving; and

a second blade group having at least one razor blade configured to provide trim shaving in a second working plane, the second working plane intersecting the handle axis and the at least one razor blade being provided at an acute angle to the first working plane in a direction of trim shaving;

wherein the first and second working planes intersect each other so as to define a line of intersection that is substantially transverse to the handle axis and the first and second working planes intersect at an angle between about ~~75~~ 9 degrees and ~~135~~ 150 degrees; and

wherein the second blade group further includes a blade platform and a leading-edge blade guard, the blade platform and blade guard being provided along with the at least one razor blade on the second working plane, the leading-edge blade guard having a thin profile to allow the distance between the cutting blade and the individual's skin to be optimally minimized to facilitate shaving in confined hard-to-reach areas of the face.

42. (Previously Presented) The razor system of claim 41, wherein the handle and the first and second working planes are configured to allow conversion by a user of the razor cartridge from broad area shaving to trim shaving by rotating the handle 180 degrees about the handle axis.

43. (Previously Presented) The razor system of claim 42, wherein at least a portion of the handle is symmetric to facilitate handling of the handle for either broad area shaving or trim shaving.

44. (Previously Presented) The razor system of claim 43, wherein the handle has a curve at an end attached to the razor cartridge, the curve being concave on the same side as the first blade group.

45. (Canceled)

REMARKS

Status of the Claims

The pending office action addresses claims 1-15, 21-27 and 30-45. Claims 1-15 and 33-36 have been withdrawn from consideration and are canceled herein. Claims 21-27, 30-32 and 37-45 stand rejected with claims 21, 37, and 41 being independent claims. By this response, Applicants have amended independent claims 21 and 41 and dependent claim 40, and canceled claims 1-15, 23, 37 to 39, and 45. Upon entry of this amendment, independent claim 21, along with dependent claims 22, 24-27, 30-32, and independent claim 41, along with dependent claims 40 and 42-44, will remain pending in the application.

Interview Summary

Applicant wishes to thank Examiner Prone for the courtesy extended during a March 22, 2007 Telephonic Interview. Present for the interview were Examiner Prone and Applicant's undersigned representative. During the interview, the Rozenkranc reference was discussed with respect to the configuration of working planes recited in claim 21, and also the thin profile leading-edge blade guard provided in the trim razor working plane as recited in claims 31 and 45. More particularly, Applicant's representative proposed amending claim 21 to recite that the razor blades were provided at an acute angle to their respective working planes in order to make clear structurally that the blades themselves could not define the working planes as broadly interpreted by the Examiner in the previous office action. While no agreement was reached as to whether such an amendment would render claim 21 allowable, the Examiner was favorably disposed toward such an amendment rendering claim 21 to be patentably distinct from Rozenkranc. Applicant's representative also proposed suggested amendments for the thin profile leading-edge blade guard involving the recitation of all of the trim blade group elements provided in the working plane, and the relative thinness of the leading-edge blade guard with respect to the length of the overall blade group within the plane. No agreement was reached as the Examiner wished to consider the specific language provided in this amendment.

Applicant amends claim 21 herein to implement the suggestions made during the interview as noted above. Applicant also amends claim 41 herein to implement the suggestions regarding the thin profile leading-edge blade guard.

Claim Rejections - 35 USC §102

The Examiner has rejected claims 21-27, 30-32 and 37-45 under 35 USC 102(b) as being anticipated by Rozenkranc (U.S. 6,276,061).

Independent Claim 21:

Specifically with regard to claim 21, the Examiner states:

In regards to claim 21, Rozenkranc discloses the same invention including a razor cartridge (2) for use with a handle (1), the razor cartridge defines a handle axis (Fig. 2), a first blade group provided on the razor cartridge and having a plurality of blades configured to provide a broad area shaving in a first working plane (3), the first working plane intersects the handle axis (Fig. 2), a second blade group provided on the razor cartridge and having at least one razor blade configured to provide trim shaving in a second work plane (4), the second working plane intersects the handle axis (Fig. 2), and the first and second working planes intersect each other so as to define a line of intersection that is substantially transverse to the handle axis (Fig. 2), and the first and second working planes intersect at an angle between about 75° and 135° (Column 1 lines 59-63).

With respect to Applicant's arguments in the previous amendment that the *configuration of the working planes, especially the angle between them*, distinguished over Rozenkranc, the Examiner relied upon the *angle between the blades* of Rozenkranc as follows:

First with regards to the first and second working planes, the claims do not provide any specifics with regards to the location of these planes. ***Nor does the claim provide any structural limitations preventing one from considering the angle of the blade as the working plane.*** That being said Appendix A shows a box (A) representing the first working plane and the line extending from item 4 represents the second working plane. The angles is clearly within the claimed range.

Applicant has amended claim 21 herein to provide clear structural limitations to prevent one from considering the angle of the blade as the working plane. In particular, as suggested

during the Interview, Applicant has amended claim 21 to make it clear that the blades are configured at an acute angle with respect to their respective working planes in the direction of shaving as described in the application, *e.g.*, at paragraph 106 (as published). Applicant submits that the angle of the blade cannot be the working plane as the blade is expressly recited to be provided at an angle to the working plane.

Given this further definition of the relationship between the blades and the working planes in claim 21, Applicant's prior arguments regarding distinguishing over the geometry of Rozenkranc become even stronger. Claim 21 recites the preferred angle between the working planes of between about 75 degrees and 135 degrees. This feature is described in the application, for example, in paragraphs 15, 84, 85, 105 and 106 (as published), and can perhaps best be viewed by reference to Figure 4 of the application reproduced below in which element 30 is the first working plane and element 50 is the second working plane:

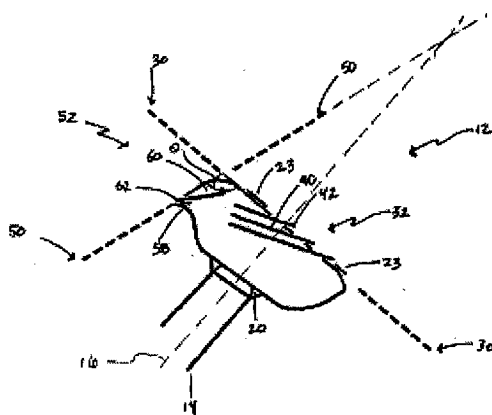
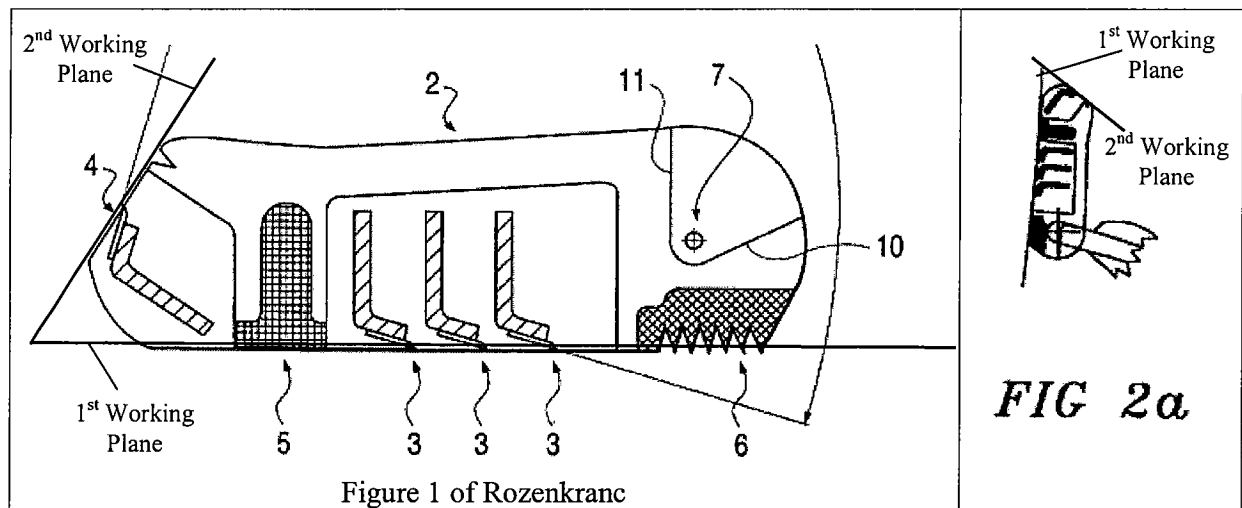


FIG. 4

As explained in the application in paragraph 106 (as published), the recited geometry results a razor that is more comfortable to use for both broad area shaving and trimming when the handle is rotated 180 degrees.

Turning again to Rozenkranc, applicant reproduce below Figures 1 and 2A from the Rozenkranc patent and highlight the first and second working planes in the Rozenkranc Figures:



A review of these Figures shows that the angle between the first and second working planes in Rozenkranc is well outside the recited range of between about 75 and 135 degrees. In fact, Applicant's measurement of this angle in Rozenkranc shows that it is less than 60 degrees (approximately 58 degrees). Further, Rozenkranc suggests no variation in the angle between the working planes and never recognizes its importance. Applicant's claimed geometry allows for more comfortable use of the claimed razor than does the geometry disclosed by Rozenkranc. In fact, it appears that Rozenkranc must allow his razor to rotate through large angles with respect to the handle (see, for example, the difference in angle between the razor and handle in Rozenkranc Figures 2 and 2A as compared to Rozenkranc Figures 3 and 3A; see also Rozenkranc Figure 4) in order to allow a transition from broad area to trim shaving.

Applicant has invented and claimed a better razor system that is not disclosed, taught or suggested by Rozenkranc. Accordingly, claim 21 is patentable over Rozenkranc.

Independent Claim 41:

Specifically with regard to claim 41, the Examiner states:

In regards to claim 41, Rozenkranc discloses the same invention including a razor system providing both broad area shaving and trim shaving blade groups within a single cartridge (2), an elongate handle defining a handle axis (1), the razor cartridge disposed on the handle (Fig. 2) having a first blade group having a plurality of blades configured to provide a broad area shaving in a first

working plane (3), the first working plane intersects the handle axis (Fig. 2), a second blade group having at least one razor blade configured to provide trim shaving in a second work plane (4), the second working plane intersects the handle axis (Fig. 2), the first and second working planes intersect each other so as to define a line of intersection that is substantially transverse to the handle axis (Fig. 2), and the first and second working planes intersect at an angle between about 75° and 135° (Column 1 lines 59-63).

Further regarding the thin profile leading-edge blade guard feature, the Examiner says:

In regards to claim 45, Rozenkranc discloses the secondary blade group has a leading-edge blade guard having a thin profile to allow a distance between the cutting blade and the skin (Fig. 1, portion in front of leading edge of 4 with triangle notch).

In response to Applicant's arguments regarding the blade guard, the Examiner responded as follows:

Finally, the term "thin profile" is a relative term. If a razor with a thinner profile than the one in the instant application is presented, is the profile of the instant application no longer thin? One thing can be broader than another item and still be considered thin. In claim 21, applicant discloses that the first blade group is considered broad and on page 14 of applicants remark sections, applicant provides a picture of what the profile of the second blade group would be. In light of claim 21 and the figure on page 14, Figure 1 of Rozenkranc clearly shows a broad blade group profile roughly made up with items 3, 5, and 6. ***The profile of the second blade group is clearly thinner than the profile of the first blade group, thereby allowing one to consider the profile of the second blade group as thin.***

Applicant's representative sought to clarify the application of the term "thin profile" during the Interview. It is not the trim blade group that is relatively thin, but rather the blade guard that is provided as part of the trim blade group along the second working plane. It is the leading edge guard that is thin – with respect to the blade group of which it is part. As discussed in the Interview, Applicant's have amended claim 41 in an attempt to clarify this relationship.

Claim 41 recites that the secondary blade group has a leading-edge blade guard having a thin profile to allow the distance between the cutting blade and the individual's skin to be optimally minimized to facilitate shaving in confined hard-to-reach areas of the face. The

secondary blade group is recited to include at least one razor blade provided at an angle to the second working plane to provide trim shaving:

second blade group having at least one razor blade configured to provide trim shaving in a second working plane, the second working plane intersecting the handle axis and the at least one razor blade being provided at an acute angle to the first working plane in a direction of trim shaving

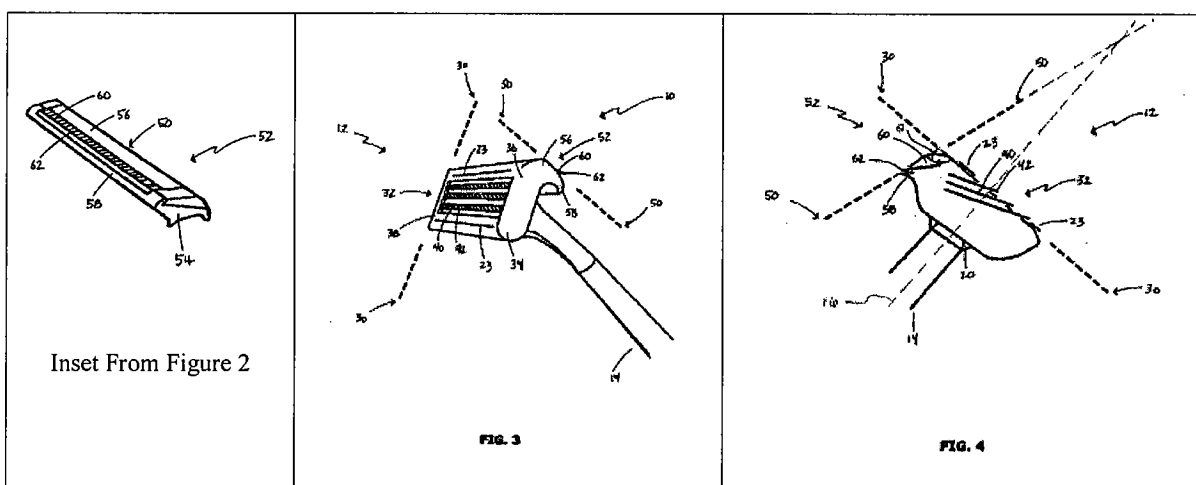
Claim 41 further recites that the second blade group further includes, in addition to the at least one razor, a blade platform and a leading-edge blade guard (see, *e.g.*, paragraph 103 of the application as published):

the second blade group further includes a blade platform and a leading-edge blade guard, the blade platform and blade guard being provided along with the at least one razor blade on the second working plane

Next, the leading-edge profile of the blade guard is given a thin profile for a specific purpose:

the leading-edge blade guard having a thin profile to allow the distance between the cutting blade and the individual's skin to be optimally minimized to facilitate shaving in confined hard-to-reach areas of the face

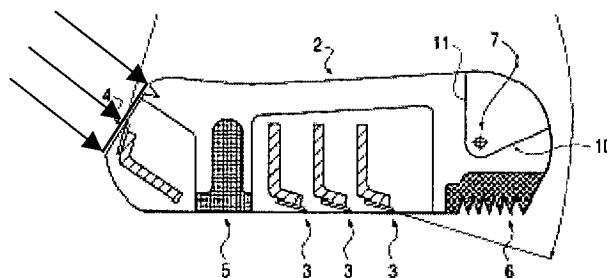
This feature is described in the application, for example, at paragraphs 85 and 93 (as published). This feature is also illustrated in Figures 2, 3 and 4 of the application, where element 58 is the leading-edge blade guard:



Giving the leading-edge blade guard 58 a thin profile allows the trim blade to be placed forward in the second working plane, thereby improving its trimming ability. As can be seen in these

and other figures in the application, this thin profile for the leading edge blade guard for the second blade group results in the leading edge of the second working plane – the distance between the cutting blade and the individual's skin – being optimally minimized so that the blade can be maneuvered readily into confined hard-to-reach areas.

In sharp contrast, Rozenkranc provides a broad second working plane and places the trimming blade on the back half of the plane, leaving more than one half of that plane to act as a guard, which will in turn prevent the use of that blade to trim in confined hard-to-reach areas. To illustrate this point, Applicant has modified Figure 1 of Rozenkranc below to provide a darkened line to indicate the second working plane, and arrows to indicate its leading and trailing edges as well as the location of the cutting edge in that plane:



The broad blade guard area from the trim blade 4 to the leading edge of the second working plane in Rozenkranc stands in sharp contrast to the thin profile guard 58 provided in Applicant's Figure 4 and other Figures in the application.

Rozenkranc provides no disclosure, teaching or suggestion of a thin profile leading edge blade guard for the trim blade group as recited in Applicant's claim 41. Accordingly, this claim is patentable over Rozenkranc.

CONCLUSION

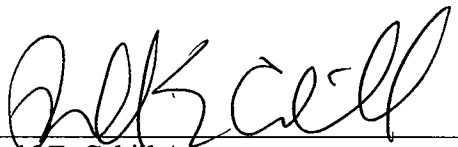
If the Examiner believes that an interview would facilitate the resolution of any outstanding issues, he is kindly requested to contact the undersigned.

In the event that a petition for an extension of time is required to be submitted at this time, Applicant hereby petitions under 37 CFR 1.136(a) for an extension of time for as many months as are required to ensure that the above-identified application does not become abandoned.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 105428-2.

Dated: April 23, 2007

Respectfully submitted,

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